

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

COYE H. KIRKPATRICK
Plaintiff



1:19CV693

v.

ALAMANCE COUNTY DETENTION CENTER, ET AL
Defendants

AMENDED
COMPLAINT

Plaintiff, COYE H. KIRKPATRICK complains that his rights was violated with being placed in ALAMANCE County detention center. DETENTION CENTER in which TERRY JOHNSON both defendants in this case. TERRY JOHNSON, head sheriff, who is responsible for the over-all run of said center, acting under color of state. Plaintiff rights violated, rights guaranteed by the 8th Amendment, certain human rights was violated, where as Plaintiff was forced to live in in-human over-crowded conditions. That ALAMANCE County Detention (Jail) under TERRY JOHNSON responsibility knew of conditions and did nothing to improve.

Plaintiff, COYE H. KIRKPATRICK was arrested on or about December 30, 2018 on several drug charges. Plaintiff was placed under \$500,000 bond in which made impossible for Plaintiff to make bond. Plaintiff was placed in a over-crowded cell block, block built to hold 40 prisoner but there was 55 to 60 prisoners had been put there. About 20 prisoners slept on the floor, Plaintiff was forced to sleep

ON FLOOR. All bunks had been taken by PRISONER that had been there longest or younger and stronger. The conditions in blocks was not fit for humans or animals. Poor ventilation, extremely dirty and no room for recreation. No one was assigned to clean blocks, there was a sign that read: blocks must be cleaned before TV's comes on or before phone comes on, there is no check or inspect. Sinks, toilet and showers are never cleaned properly, prisoners has developed rashes and bumps. Prisoner may throw a little water just so the TV and phone will be turned on. These sinks, toilets and showers are extremely soiled, nasty and smelled feces and urine. Poor ventilation, block extremely cold, everyone coughing and sneezing. "[since there has been been an a bad out break, cluster of covid 19.]

The food is non-nutritious, always cold and served on dirty, unsanitary trays. The tray often have traces of what was served previous meals. The food is not properly prepared, cold not a balanced diet. Often no meat is served, like spaghetti or noodles with no meat. And most of the time just one slice of bread.

Plaintiff, like the rest of the prisoners are allowed to purchase canteen once weekly, prices are ridiculous, a pack of Roman Noodle is \$1.06, which in grocery stores sells for about 20¢. Plaintiff could only purchase under-clothes and cosmetic at insane prices. No other way to get these things but the Detention

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CENTER CANTEEN.

PLAINTIFF WAS HOUSE WITH FEDERAL INMATES (PRISONERS). REGARDLESS OF CHARGES, PLAINTIFF, ALL OTHER STATE PRISONERS IS PLACED IN A CELL BLOCK TOGETHER WITH FEDERAL PRISONERS. THERE ARE OFTEN FIGHTS BECAUSE OF THE TENSION. THE OLDER AND WEAKER PRISONERS ARE OF TAKEN ADVANTAGE OF, ROBBED AND GANGED. THE OFFICERS AT SAID DETENTION CENTER (JAIL) KNOW OF THESE EVENTS AND DOES NOTHING TO PREVENT THIS FROM HAPPENING AGAIN AND AGAIN. FEDERAL PRISONERS ARE HERE AWAITING TRIAL AND SENTENCING. THEY ARE HOUSED IN THE SAME BLOCK WITH STATE PRISONERS.

PLAINTIFF AFTER ABOUT 45 DAYS IN THIS BLOCK WAS TOLD TO PACK HIS BELONGINGS THAT HE WAS BEING TRANSFERRED TO ANNEX, WHICH IS A PART OF ALAMANCE COUNTY DETENTION CENTER (JAIL). THIS ANNEX IS A SUBSIDIARY LOCATED AT OLD GRAHAM, N.C. PRISON UNIT. PLAINTIFF WAS TRANSFERRED THERE, WHERE AS BUNK ARE VERY CLOSE WITH MOLD AND RUST IN THE BLOCKS. PLAINTIFF STAYED THERE FOR ALMOST 60 DAYS. WHILE THERE ONE DAY, UPON CANTEEN ORDER PLAINTIFF ORDERED CANTEEN. WHILE PICKING UP HIS CANTEEN, PLAINTIFF NOTICE COFFEE WAS MISSING FROM ORDER. OFFICER HENDERSON, OFFICER WITH ALAMANCE COUNTY DETENTION CENTER, HENDERSON INSTRUCTED PLAINTIFF TO GO AHEAD SIGN FOR HIS ORDER. HE, HENDERSON WOULD MAKE SURE HE, PLAINTIFF WOULD GET HIS COFFEE. OFFICER HENDERSON STATED; "YOU GOT MY WORD, YOU WILL GET YOUR COFFEE TODAY." THAT DAY PASSED AND MOST OF THE NEXT DAY WHEN PLAINTIFF CONFRONTED HENDERSON ABOUT HIS COFFEE. HENDERSON WAS VERY DISRESPECTFUL, TOLD PLAINTIFF TO QUIT ASKING

COFFEE, THAT PLAINTIFF WOULD GET IT WHENEVER THEY GAVE IT TO HIM. HENDERSON TOLD PLAINTIFF TO GET READY THAT HE WAS GOING BACK TO OLD JAIL. FOUR OFFICERS CAME AND DRAGGED PLAINTIFF OUT TO A VAN AND PLAINTIFF WAS TAKEN BACK TO OLD JAIL AND PLACED ON LOCK-UP, G-BLOCK. PLAINTIFF STAYED ON LOCK-UP FOR APPROXIMATELY ONE WEEK. PLAINTIFF WAS TAKEN OFF LOCK-UP AND PLAINTIFF WAS ALLOWED TO PURCHASE CANTEEN. OFFICER JEFFRIES BROUGHT PLAINTIFF HIS CANTEEN AND AFTER OFFICER LEFT BLOCK, PLAINTIFF WAS ROBBED BY FOUR PRISONERS, ROBBED PLAINTIFF FOR ALL HIS CANTEEN. OFFICERS ON DUTY, SERGEANT AND LIEUTENANT, ALL KNEW WHAT HAPPEN YET NOTHING WAS DONE ABOUT IT. PLAINTIFF WAS MOVED AGAIN, BACK TO ORIGINAL BLOCK WHERE AS VIOLATIONS CONTINUED.

PLAINTIFF CONTEND THAT HIS 8TH AMENDMENT TO THE CONSTITUTION WAS VIOLATED. PLAINTIFF WAS PLACED IN A UNCLEAN, UN-HEALTHY ENVIRONMENT, AN ENVIRONMENT THAT WOULD SHOCK THE PUBLIC. PLAINTIFF SUFFERED IN-PAIRABLE DAMAGE. PLAINTIFF PRAY THAT THE \$250,000 RELIEF REQUESTED BE AWARDED.

PLAINTIFF FURTHER PRAY THAT COURT DECIDE COMPLAIN ON MERITS. PLAINTIFF IS A LAYMAN AT LAW AND HAS LIMITED KNOWLEDGE OF FEDERAL RULES OF CIVIL PROCEDURE.

THE ALAMANCE COUNTY DETENTION CENTER IN WHICH TERRY JOHNSON HEAD SHERIFF WAS IN CHARGE. TERRY JOHNSON WAS SWORN TO UPHOLD LAW, AS WELL AS TRAIN AND PREPARE ALL OTHER SHERIFF IN SAID CENTER. THESE DEFENDANT MUST BE HELD LIABLE.

Coye H. Kirkpatrick, Sept. 16, 2020
Coye H. Kirkpatrick (4064)